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Preserving America's Heritage

December 14, 2016

The Honorable Norman C. Bay
Chairman
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Ref: *Proposed Atlantic Coast Pipeline Project
West Virginia, Virginia and North Carolina*

Dear Mr. Chairman:

In response to expressions of concern from numerous stakeholders located in communities along the proposed Right-of-Way for the Atlantic Coast Pipeline Project (FERC Docket No. CP15-554-000) in West Virginia, Virginia, and North Carolina, the Advisory Council on Historic Preservation (ACHP) will formally participate in the Section 106 consultation being carried out by the Federal Energy Regulatory Commission (FERC). FERC must comply with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.) and its implementing regulations, "Protection of Historic Properties" (36 C.F.R. part 800), for this undertaking. Our decision to participate in this consultation is based on the *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, contained within our regulations. The criteria are met for this proposed undertaking because of questions of policy and interpretation of the Section 106 regulations and because of the potential for procedural problems in the Section 106 review that the ACHP's involvement could help resolve.

Section 800.6(a)(1)(iii) of the Section 106 regulations requires that we notify you, as the head of the agency, of our decision to participate in the consultation. By copy of this letter, we are also notifying Ms. Ann Miles, Director of the Office of Energy Programs, of this decision.

Our participation in this consultation will be handled by John T. Eddins, PhD, who can be reached at 202-517-0211 or via e-mail at jeddins@achp.gov. We look forward to working with FERC and other consulting parties to consider alternatives to avoid, minimize, or mitigate potential adverse effects on historic properties and to develop a Section 106 agreement document.

Sincerely,

John M. Fowler
Executive Director

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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